

STATE OF INDIANA
BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF:

) PETITION OF Mackey Tanner Petr.
Inc., operator of the Burgdorf Lease
FOR AN EXCEPTION TO 310 IAC
7-1-(30,31) OF THE GENERAL OIL
AND GAS WELL SPACING RULES

PETITION

Comes now Mackey Tanner Petroleum Inc., on behalf of itself and other owners of leasehold interests as set forth below(hereinafter called "Petitioner"), by George Tanner its Secretary Treasure, and respectfully shows the Department of Natural Resources of the State of Indiana the following:

1 Petitioner is the holder of legal title to, and is the duly authorized representative of all other owners of contractual or other beneficial interests in, certain oil and gas leaseholds covering land in Township 7 South, Range 11 West, lying in Vanderburgh County, Indiana, which leasehold estates and lands are more fully described in a schedule thereof, marked Exhibit "A" and by reference incorporated herein and made a part hereof. There is also attached hereto, marked Exhibit "B" and by reference incorporated herein and made a part hereof a map of plat of the area sought to be affected by this proposed Order. The lands so designated on Exhibit "A" and Exhibit "B" are hereinafter referred to as the "Affected Area".

2 It is the purpose of this Petition to allow for 5 acre spacing or 330 feet between wells on lands as described in Exhibit "A" and shown on Exhibit "B", pursuant to the provisions of 310 IAC 7-1-32.

3 As grounds for seeking said exception, Petitioner would respectfully show to the Commission that the thick oil saturated Mansfield sand permeability changes very quickly laterally and vertically. This has left oil between the existing well bores that is recoverable only by downsizing the spacing for well locations.

4 Petitioner is ready and willing to supply to the Commission or to its representatives such further and additional information as may be pertinent or relative to a consideration of 5 acre(330 ft. spacing) in the Affected Area, at or prior to consideration of this Petition.

5 Petitioner files herewith, and by reference incorporates herein and makes a part of this Petition, a structure map showing structure on top of the Mansfield Sandstone, which is marked Exhibit "C" and by reference incorporated herein and made a part hereof.

6 Petitioner represents that to the best of the knowledge, information and belief of

Petitioner, no valid reasons exist to indicate or establish that 5 acre 330 ft spacing would not be in the best interest of conservation, and on the contrary, Petitioner respectfully states that the maintaining of standard spacing and unit specifications in the Affected Area is contrary to the best interests of conservation and the preservation and utilization of petroleum resources.

It is the prayer of said Petition that after a public notice period, the prayer of this Petition be granted and that the exception sought in this Petition for the geologic zones within the Affected Area indicated on Exhibit "B" attached hereto be authorized and established, subject to such further terms and conditions as the Commission may impose in and by its Order establishing such spacing and units.

Respectfully submitted,



Mackey Tanner Petroleum Inc.

By: George Tanner (Secretary Treasure- Indiana Certified Professional Geologist #1518)

PO BOX 5446
BLOOMINGTON, IN 47406
812-360-1916

This instrument prepared by (George Tanner),

FEB 1 2010

Exhibit A

Kenneth W. Burgdorf Lease, covering a part of the West one-half of the Northwest Quarter of Fractional Section 18, T 7 S, R 11 W, in Vanderburgh County Indiana more particularly described as follows. Beginning at the Northwest corner of said Fractional Section 18; thence East 34.91 chains; thence South 28.81 chains; thence West 34.91 chains to the County line between Vanderburgh and Posey Counties; thence North 28.81 chains to the point of beginning, deemed to contain 100 acres.

FEB 1 2010

Exhibit B

sec 7

Sec 18 T7S R11W #W6

#2B

#1B

#5

#6

#4B

#3B

#W3

#7

#4

Burgdorf

100. acres

#25

#1A

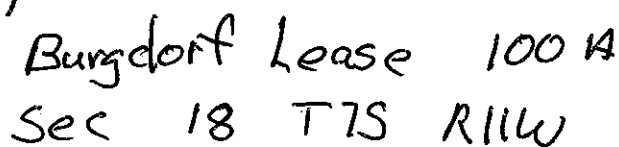
#2

#1

660'

Burgdorf 100 acres
Sec 18 T7S R11W

FEB 1 2010



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